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COURT OF APPEAL, FOURTH APPELLATE DISTRICT

DIVISION ONE

STATE OF CALIFORNIA

In re FERNANDO S., a Person Coming
Under the Juvenile Court Law.

THE PEOPLE,

Plaintiff and Respondent,

v.

FERNANDO S.,

Defendant and Appellant.

D053425

(Super. Ct. No. J219055)

APPEAL from a judgment of the Superior Court of San Diego County, Francis M. Devaney, Judge. Affirmed.

Thirteen-year-old Fernando S. entered a negotiated admission to one count of assault by means of force likely to cause great bodily injury (Pen. Code, § 245, subd. (a)(1)). The juvenile court declared Fernando a ward (Welf. & Inst. Code, § 602) and ordered that he be placed in a 24-hour school. Ten days after he was placed at the school,

Fernando left without permission. After Fernando agreed to return to the 24-hour school and complete the program, the court ordered that he be returned to the school.

FACTS

On April 13, 2008, Fernando and his mother argued over music he was playing. The argument became a physical altercation when Fernando pushed his mother onto a bed and began choking her. Fernando said: "Die, die, leave me alone." Fernando drove away in his mother's car without her permission. Police officers, who had been dispatched in response to a call about a family disturbance, observed Fernando driving and tried to conduct a traffic stop by activating the siren and lights in their patrol car. Fernando did not comply. The police ended their pursuit as Fernando entered a residential neighborhood. When the police returned to the mother's house, Fernando was already there; he was sitting in the vehicle, which was parked in the driveway. Fernando's sister told the officers that Fernando had almost hit her with the vehicle. Police later learned that Fernando was involved in a hit-and-run vehicle collision with a parked car.

DISCUSSION

Appointed appellate counsel has filed a brief setting forth evidence in the superior court. Counsel presents no argument for reversal, but asks this court to review the record for error as mandated by *People v. Wende* (1979) 25 Cal.3d 436. Pursuant to *Anders v. California* (1967) 386 U.S. 738, counsel refers to as possible, but not arguable, issues: (1) whether Fernando's admission to the assault count complied with *Boykin v. Alabama* (1969) 395 U.S. 238 and *In re Tahl* (1969) 1 Cal.3d 122; (2) whether the juvenile court

erred in placing Fernando in a 24-hour school; and (3) whether Fernando has standing to argue the court erred in not declaring his mother was his victim, which would have relieved her of any obligation to reimburse the County of San Diego for the costs of the 24-hour school and the costs of incarceration at juvenile hall.

We granted Fernando permission to file a brief on his own behalf. He has not responded.

A review of the record pursuant to *People v. Wende, supra*, 25 Cal.3d 436 and *Anders v. California, supra*, 386 U.S. 738, including the possible issues referred to by appellant counsel, has disclosed no reasonably arguable appellate issues. Competent counsel has represented Fernando on this appeal.

DISPOSITION

The judgment is affirmed.

McINTYRE, J.

WE CONCUR:

NARES, Acting P. J.

AARON, J.